

FILED

DEC 07 2022

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
TOLEDO

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAVAAR WINTERS,

Defendant.

) INDICTMENT

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CASE NO. _____

Title 18, United States Code,
Section 924(c)(1)(A), 922(g)(1)
and 924(a)(8)); Title 21, United
States Code, Sections 841(a)(1),
(b)(1)(B)

3:22 CR 691
JUDGE KNEPP

COUNT 1

(Possession with Intent to Distribute a Controlled Substance, Title 21 U.S.C. §§ 841(a)(1) and (b)(1)(B))

The Grand Jury charges:

1. On or about October 20, 2022, in the Northern District of Ohio, Western Division, Defendant JAVAAR WINTERS did knowingly and intentionally possess with intent to distribute 40 grams or more of a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).

COUNT 2

(Possession of a Firearm in Furtherance of a Drug Trafficking Crime, Title 18 U.S.C. § 924(c)(1)(A))

The Grand Jury further charges:

2. On or about October 20, 2022, in the Northern District of Ohio, Western Division, Defendant JAVAAR WINTERS did knowingly possess a firearm, to wit: a Ruger, 9mm pistol, bearing serial number 329-08214, in furtherance of a drug trafficking crime for which he may be

ORIGINAL

prosecuted in a court of the United States, that is, Possession With Intent to Distribute Controlled Substances, as charged in Count 1 of this Indictment, in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT 3

(Felon in Possession of a Firearm, Title 18 U.S.C. §§ 922(g)(1) and 924(a)(8))

The Grand Jury further charges:

3. On or about October 20, 2022, in the Northern District of Ohio, Western Division, Defendant JAVAAR WINTERS, knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, that being: Aggravated Robbery, Felonious Assault, and Attempted Murder, on or about January 13, 2012, in Case Number CR-201101554-000, in the Lucas County Court of Common Pleas, knowingly possessed in and affecting interstate commerce a firearm, to wit: a Ruger, 9mm pistol, bearing serial number 329-08214, said firearm having been shipped and transported in interstate commerce, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(8).

FORFEITURE

The Grand Jury further charges:

4. The allegations of Counts 1 through 3 are hereby realleged and incorporated herein by reference for the purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853, Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c). As a result of the foregoing offenses, Defendant JAVAAR WINTERS shall forfeit to the United States any and all property constituting or derived from any proceeds he obtained directly or indirectly as a result of the federal drug violations in Count 1; any and all of his property used or intended to be used in any manner or part to commit or to facilitate the commission of the federal drug violation in Count 1; and, any and all firearms and ammunition

involved in or used in the commission of the federal gun violation in Counts 2 and 3; including, but not limited to, the following:

- a. a Ruger, 9mm pistol, bearing serial number 329-08214, and ammunition, seized on October 20, 2022.

A TRUE BILL.

Original document - Signatures on file with the Clerk of Courts, pursuant to the E-Government Act of 2002